



U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(USE SEVERAL SHEETS IF NECESSARY)

ATTY. DOCKET NO.
NIH298.1DC1CC1APPLICATION NO.
10/659,711APPLICANT
Merill et al.FILING DATE
September 11, 2003GROUP
1646 ~~1646~~ 1648

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
JS	1 4,332,897	06/01/1982	Nakano et al.			
1	2 4,375,734	03/08/1983	Kozloff et al.			
	3 4,797,363	01/10/1989	Teodorescu et al.			
	4 4,865,979	09/12/1989	Nakano et al.			
	5 4,946,778	08/07/1990	Ladner et al.			
	6 5,132,221	06/21/1992	Ward et al.			
	7 5,168,037	12/01/1992	Entis et al.			
	8 5,284,934	02/08/1994	Allen, Jr.			
	9 5,344,822	09/06/1994	Levine et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
JS	10	Angel, M.F. et al. 1987 "Beneficial effects of staphage lysate in the treatment of chronic recurrent hidradenitis suppurativa," <i>Surgical Forum</i> 38:111-112.
	11	Audesirk, G. et al. 1986 <i>Biology Life on Earth</i> , Macmillan Publishing Company, N.Y. pp. 202-203.
	12	Bendinelli, M. et al. 1988 "Disruption of Phagosomal Membrane by the Virulent H37Rv Strain of <i>M. tuberculosis</i> " in: <i>Mycobacterium tuberculosis: Interactions With the Immune System (Infectious Agents and Pathogenesis)</i> , Herman Friedman (Editor), Plenum Press, pp. 311-313.
	13	Berchieri, A. Jr. et al. 1991 "The activity in the chicken alimentary tract of bacteriophages lytic for <i>Salmonella typhimurium</i> ," <i>Res. Microbiol.</i> 142:541-549.
	14	Bogovazova, G.G. et al. 1992 "Immunobiological properties and therapeutic effectiveness of <i>Klebsiella</i> bacteriophages preparations," <i>Zh. Mikrobiol. Epidemiol. Immunobiol.</i> 3:30-33.
	15	Cislo, M. et al. 1987 "Bacteriophage treatment of suppurative skin infections." <i>Arch Immunol Ther Exp (Warsz).</i> 35:175-183.
	16	Engelstad, M. et al. 1992 "A constitutively expressed vaccinia gene encodes a 42-kDa glycoprotein related to complement control factors that forms part of the extracellular virus envelope." <i>Virology</i> 188:801-810.
	17	Frank, M.M. et al. 1992 "The Mechanism by which microorganisms avoid complement attack," <i>Curr. Opin. Immunol.</i> 4:14-19.
	18	Geier, M.R. et al. 1973 "Fate of bacteriophage Lamda in non-immune germ-free mice," <i>Nature</i> 246:221-222.

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NIH298.1DC1CC1	APPLICATION NO. 10/659,711
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Merril et al.	
(USE SEVERAL SHEETS IF NECESSARY)		FILING DATE September 11, 2003	GROUP 10410

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)		
19	Gherna, R., et al. 1992 <i>American Type Culture Collection Catalogue of Bacteria and Phages</i> , Eighteenth edition, pp. 402-409.		
20	Hidaka, Y. et al. 1991 "Glycoprotein C of herpes simplex virus type 1 is essential for the virus to evade antibody-independent complement-mediated virus inactivation and lysis of virus-infected cells" <i>J. Gen. Virol.</i> 72:915-921.		
21	Isaacs, S.N. et al. 1992 "Characterization of a vaccinia virus-encoded 42-kilodalton class I membrane glycoprotein component of the extracellular virus envelope" <i>J. Virol.</i> 66:7217-7224.		
22	Isaacs, S.N. et al., 1992 "Vaccinia virus complement-control protein prevents antibody-dependent complement-enhanced neutralization of infectivity and contributes to virulence" <i>PNAS USA</i> 89:628-632.		
23	Jackson, R.J. et al. 2001 "Expression of mouse interleukin-4 by a recombinant ectromelia virus suppresses cytolytic lymphocyte responses and overcomes genetic resistance to mousepox," <i>J. Virol.</i> 75:1205-1210.		
24	Kress, D.W. et al. 1980 "A preliminary report on the use of staphage lysate for treatment of hidradenitis suppurativa," <i>Ann. Plastic Surgery</i> 6:393-395.		
25	Kucharewicz-Krukowska, A. et al. 1987 "Immunogenic effect of bacteriophage in patients subjected to phage therapy." <i>Arch Immunol Ther Exp (Warsz)</i> . 35:553-561.		
26	Lambris, J.D. et al. 1993 "Use of synthetic peptides in exploring and modifying complement reactivities." In <i>Activators and inhibitors of complement activation</i> . R.B. Sim, editor. Kluwer Academic Press, Lancaster. pp. 201-232.		
27	Mazacek, M. et al. 1969 "Die Bakteriophage in der therapie und prophylaxe der infektionskrankheiten," <i>Zentralbl. Bakteriol.</i> 211:385-394.		
28	Merril, C.R. et al. (1996) "Long-circulating bacteriophage as antibacterial agents," <i>PNAS USA</i> 93:3188-3192.		
29	Montefiori, D.C. et al. 1994 "Complement control proteins, CD46, CD55, and CD59, as common surface constituents of human and simian immunodeficiency viruses and possible targets for vaccine protection." <i>Virology</i> , 205:82-92.		
30	Peake, P. et al. 1990 "Peptide inhibitors of C3 breakdown." <i>Clin. Exp. Immunol.</i> 79:454-458.		
31	Peremitina, L.D. et al. 1981 "[Experience in the therapeutic use of bacteriophage preparations in suppurative surgical infections]" <i>Zh. Mikrobiol. Epidemiol. Immunobiol.</i> 9:109-110.		
32	Roitt I.M. 1991 <i>Essential Immunology</i> , Seventh Edition, Blackwell Scientific Publications, pp. 110-113.		
33	Rother, R.P. et al. 1995 "Protection of retroviral vector particles in human blood through complement inhibition." <i>Human Gene Therapy</i> 6:429-435.		
34	Salmon, G.G. Jr. et al. 1963 "Staphage lysate therapy in chronic staphylococcal infections," <i>J. Med. Soc. N. J.</i> 60:188-193.		
35	Schasteen, C.S. et al., 1988 "Synthetic peptide inhibitors of complement serine proteases-II. Effects on hemolytic activity and production of C3a and C4a." <i>Molec. Immunol.</i> 25:1269-1275.		
36	Slopek, S. et al. 1983 "Results of bacteriophage treatment of suppurative bacterial infections. I. General evaluation of the results." <i>Arch Immunol Ther Exp (Warsz)</i> 31:267-291.		
37	Slopek, S. et al. 1983 "Results of bacteriophage treatment of suppurative bacterial infections. II. Detailed evaluation of the results." <i>Arch Immunol Ther Exp (Warsz)</i> 31:293-297.		
38	Slopek, S. et al. 1984 "Results of bacteriophage treatment of suppurative bacterial infections. III. Detailed evaluation of the results obtained in further 150 cases." <i>Arch Immunol Ther Exp (Warsz)</i> 32:317-335.		
39	Slopek, S. et al. 1985 "Results of bacteriophage treatment of suppurative bacterial infections. IV. Evaluation of the results obtained in 370 cases." <i>Arch Immunol Ther Exp (Warsz)</i> 33:219-240.		

EXAMINER	DATE CONSIDERED
12/9/05	
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NIH298/IDC1CC1	APPLICATION NO. 10/659,711
		APPLICANT Meril et al.	
		FILING DATE September 11, 2003	GROUP 1040

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
JS	40 Slopek, S. et al. 1985 "Results of bacteriophage treatment of suppurative bacterial infections. VI. Analysis of treatment of suppurative staphylococcal infections," <i>Arch Immunol Ther Exp (Warsz)</i> 33:261-273.
	41 Smith, H.W. et al. 1982 "Successful treatment of experimental <i>Escherichia coli</i> infections in mice using phage: its general superiority over antibiotics," <i>J. Gen. Microbiol.</i> 128:307-318.
	42 Smith, H.W. et al. 1983 "Effectiveness of phages in treating experimental <i>Escherichia coli</i> diarrhea in calves, piglets and lambs," <i>J. Gen. Microbiol.</i> 129:2659-2675.
	43 Smith, H.W. et al. 1987 "The control of experimental <i>Escherichia coli</i> diarrhea in calves by means of bacteriophages," <i>J. Gen. Microbiol.</i> 133:1111-1126.
	44 Soothill, J.S. 1992 "Treatment of experimental infections of mice with bacteriophages," <i>J. Med. Microbiol.</i> 37:258-261.
	45 Stent, G. 1963 "The Twort-D'Herelle Phenomenon," in: <i>Molecular Biology of Bacterial Viruses</i> , W.H. Freeman and Co., San Francisco and London, Chapter 1, pp. 1-21.
	46 Vymola, F. et al. 1974 "Staphylococcal osteomyelitis" <i>Ann. N Y Acad. Sci.</i> 236:508-514.
	47 Zell, V.R.A. 1993 "Gentherapie, Medizin der Zukunft?" <i>Dtsch Apoth Ztg</i> 133:19-27.

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EXAMINER	DATE CONSIDERED
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O I P E INFORMATION DISCLOSURE NOV 29 2003 STATEMENT BY APPLICANT		Application No.	10/659,711
(Multiple sheets used when necessary)		Filing Date	September 11, 2003
SHEET 1 OF 2		First Named Inventor	Merril et al.
		Art Unit	1648
		Examiner	Stucker, Jeffrey J.
		Attorney Docket No.	NIH298.1DC1CC1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
JS	1.	5,660,812	08/26/1997	Merril et al.	
	2.	5,688,501	11/18/1997	Merril et al.	
	3.	5,766,892	06/16/1998	Merril et al.	
	4.	5,811,093	09/12/1998	Merril et al.	
	5.	US 2001/0026795 A1	10/04/2001	Merril et al.	
	6.	US 2001/0043917 A1	11/22/2001	Merril et al.	
	7.	US 2003/0026785 A1	02/06/2003	Merril et al.	
	8.	US 2004/0161431 A1	08/19/2004	Carlton et al.	
	9.	US 2005/0063957 A1	3/24/2005	Merril et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹
JS	10.	WO 95/27043 A1	10/12/1995	Exponential Biotherapies, Inc. and The Government of the USA		
JS	11.	WO 97/39118 A1	10/23/1997	Exponential Biotherapies, Inc. and The Government of the USA		

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ¹
JS	12.	U.S. Application No. 08/222,952, filed 04/05/1994 to CARLTON et al.				
	13.	U.S. Application No. 08/222,956, filed 04/05/1994 to MERRIL et al..				
	14.	U.S. Application No. 08/454,415, filed 05/30/1995 to MERRIL et al.				
	15.	U.S. Application No. 08/454,417, filed 05/30/1995 to MERRIL et al.				

Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

T¹ - Place a check mark in this area when an English language Translation is attached.

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		Filing Date	September 11, 2003
		First Named Inventor	Merril et al.
		Art Unit	1648
(Multiple sheets used when necessary)		Examiner	Stucker, Jeffrey J.
SHEET 2 OF 2		Attorney Docket No.	NIH298.1DC1CC1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
<i>js</i>	16.	U.S. Application No. 08/795,541, filed 02/06/1997 to MERRIL et al.	
<i>js</i>	17.	U.S. Application No. 08/811,344, filed 03/04/1997 to MERRIL et al.	
<i>js</i>	18.	U.S. Application No. 08/944,512, filed 10/06/1997 to CARLTON et al.	
<i>js</i>	19.	U.S. Application No. 09/865,717, filed 05/29/2001 to CARLTON et al.	

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Examiner Signature	<i>js</i>	Date Considered	<i>12/9/05</i>
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